

FILED

May 5 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 10-0023

JERRY SALAZAR,

Petitioner and Appellant,

v.

STATE OF MONTANA,

Respondent and Appellant.

ORDER **FILED**

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Jerry Salazar has filed a motion for extension of time to file his opening brief on appeal, and “[a]lso would like to know about getting a court appointed attorney to help with my opening brief.” The motion does not state whether opposing counsel objects, but no objections have been filed.

As pointed out in the Court’s March 1 order in this matter, the right to appointed counsel in a criminal matter generally ends following direct appeal, and does not include postconviction relief proceedings like this matter. *See* § 46-8-103, MCA.

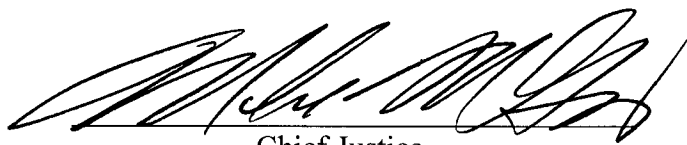
THEREFORE, IT IS ORDERED that, insofar as Salazar’s motion may be read to include a request for the appointment of counsel to represent him in this appeal, that request is DENIED.

IT IS FURTHER ORDERED that the motion for extension of time is GRANTED. Salazar is granted an extension of time until June 29, 2010, in which to prepare, file with the Clerk of this Court, and serve upon opposing counsel his opening brief on appeal.

The Clerk is directed to provide copies of this Order to all counsel of record and to Jerry Salazar personally.

DATED this 5th day of May, 2010.

For the Court,


Chief Justice